

SCOTTSDALE

CITY COUNCIL MEETING

AGENDA



COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Ned O'Hearn

David Ortega

Roberta Pilcher

Tom Silverman

Tuesday, March 2, 2004

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Roll Call

Pledge of Allegiance

Invocation

Presentations/Information Updates

Semi-Annual Cultural Council Business Update

Environmental Quality Advisory Board Presentation of the 2002/03 Indicators Report and Green Building Remodeling Guidelines

Appointment

Consider reappointment of B. Monte Morgan as Presiding City Judge, effective March 8, 2004

Public Comment

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

Minutes

SPECIAL MEETINGS

[Tuesday, February 3, 2004](#)

REGULAR MEETINGS

[Tuesday, February 3, 2004](#)

EXECUTIVE SESSIONS

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1. [Rouge House Liquor License](#)

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 04 (Wholesaler) State liquor license for a new location.

Location: 10456 N. 74th Street

Reference: 1-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

2. [Primetime Sports Grill Liquor License](#)

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for a location which previously operated with a series 12 license under the business name Everett's Steakhouse & Blues Club.

Location: 20701 N. Scottsdale Road, Ste. 111

Reference: 2-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

3. [Our House Korean Restaurant Liquor License](#)

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing restaurant.

Location: 1414 N. Scottsdale Road

Reference: 7-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

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4. [Grazie Pizzeria Permanent Extension of Premises](#)

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises that will add a patio seating area to an existing establishment, currently operating with a series 07 (beer/wine bar) liquor license.

Location: 6952 E. Main Street

Reference: 3-EX-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

5. [HT Seafood Chinese Restaurant Extension of Premises](#)

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises, which will extend their existing series 12 (restaurant) liquor license to cover a proposed expansion into the adjacent suite.

Location: 2922 N. Hayden Road

Reference: 5-EX-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

6. [Scottsdale Mountain Parcel A Final Plat](#)

Request: Approve a Final Plat for a 13 lot single-family subdivision on a parcel of approximately 26 acres.

Location: West of 144th Street, north of Via Linda, near Eagle Ridge Drive

Reference: 1-PP-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Al Ward, Senior Planner, 480-312-7067, award@scottsdaleaz.gov

7. [Whisper Rock Unit 5 Final Plat](#)

Request: Approve Final Plat for a 13-lot residential subdivision with amended development standards on a 40.5 +/- acre parcel.

Location: Dove Valley Road Alignment, between the Hayden Road Alignment and Leaning Rock Road

Reference: 15-PP-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Greg Williams, Senior Planner, 480-312-4205, gwilliams@scottsdaleaz.gov

8. [Alley Abandonment](#)

Requests:

1. Abandon a half alley (10 feet wide) and full alley (16 feet wide) located north of Monterosa Street within the Hidden Village Sixteen subdivision.
2. Reserve a public utility easement over, under and across the entire subject alley area.
3. Reserve a private access easement in favor of parcel 173-47-008D over and across the subject 16-foot alley and portions of the 10-foot alley between lots 7 and 8.
4. Adopt Resolution No. 6445 affirming the abandonment.

Location: Between 66th and 68th Streets, north of Indian School Road

Reference: 10-AB-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Cheryl Sumners, Senior Planner, 480-312-7834, csumners@scottsdaleaz.gov

9. **Design of Arsenic Mitigation Program Associated Pipelines**

Request: Authorize Engineering Services Contract No. 2004-016-COS with Valentine Environmental Engineers, LLC in the amount of \$1,415,000 for the final design of pipelines associated with the Arsenic Mitigation Program.

Related Policies, References:

- a. Water Resources Master Plan, approved by City Council on October 15, 2001.
- b. Engineering Services Contract No. 2002-139-COS with Narasimhan Consulting Services for conceptual design of arsenic treatment facilities and associated pipelines, approved by City Council on November 18, 2002.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Joseph E. Gross, Water Resources Director, 480-312-5629, jgross@scottsdaleaz.gov

10. **Design of Improvements for Well Site No. 86. Located at Desert Mountain**

Request: Authorize Engineering Services Contract No. 2004-018-COS with Camp Dresser & McKee Inc. in the amount of \$466,000 for the final design of well site improvements for Well No. 86, associated with the Arsenic Mitigation Program.

Related Policies, References:

- a. Water Resources Master Plan, approved by City Council on October 15, 2001.
- b. Engineering Services Contract No. 2002-139-COS with Narasimhan Consulting Services for conceptual design of arsenic treatment facilities and associated pipelines, approved by City Council on November 18, 2002.

Staff Contact(s): David M. Mansfield, Water Resources General Manager, 480-312-5681, dmansfield@scottsdaleaz.gov; Joseph E. Gross, Water Resources Director, 480-312-5628, jgross@scottsdaleaz.gov; Greg Crossman, Sr. Water Resources Engineer, 480-312-5319, gcrossman@scottsdaleaz.gov

11. **Updating General Provisions for license approval, denial and hearing process. Regulations for Secondhand, Pawnbrokers, and Miscellaneous License section of City Code**

Request:

1. Approve Ordinance No. 3549, amending and updating Article IX of Chapter 16, secondhand and pawnbroker regulations; and
2. Approve Ordinance No. 3548, amending and updating Article IV of Chapter 16, and eliminating the licensing requirements for Amusement Devices, Carnivals or Circuses, Merchant-Transient and Exhibitors; and
3. Approve Ordinance No. 3553, amending and updating Article I of Chapter 16, general provisions.

Related Policies, References: Chapter 16 of the City Code: Licenses, Taxation, and Miscellaneous Business Regulations, Arizona Revised Statute, Title 44 relating to pawnbrokers.

Staff Contact(s): Chief Alan G. Rodbell, 480-312-5310, arodbell@scottsdaleaz.gov; Sandra Bennis, Customer Service Manager, 480-312-2463, sbennis@scottsdaleaz.gov; Jay Osborn, Assistant City Attorney, 480-312-3561, josborn@scottsdaleaz.gov

12. [Contract Authorization for Defensive Driving Class Providers](#)

Request: Authorize Professional Service Contract No. 2004-019-COS with the Arizona Chapter National Safety Council, and No. 2004-020-COS with the Arizona Defensive Driving School to provide defensive driving classes to qualifying, cited individuals.

Related Policies, References: Arizona Revised Statute, 28-3392 allows an individual who is issued a citation for certain civil traffic moving violations or related local civil traffic ordinances to attend a defensive driving school. A person who attends a defensive driving school is not eligible to attend again for two years from the date of the violation.

Staff Contact(s): Janet Cornell, Court Administrator, 480-312-2775, jcornell@scottsdaleaz.gov; Daniel W. Edwards, Deputy Court Administrator, 480-312-3092, dwedwards@scottsdaleaz.gov

13. [Proposed Revision to Coach House Settlement Agreement](#)

Request: Review and action on proposed revision to Settlement and Release Agreement No. 2001-124-COS between the City of Scottsdale and James G. Brower.

Staff Contacts: Joseph Bertoldo, City Attorney, 480-312-2405, jbortoldo@scottsdaleaz.gov; and Donna Bronski, Deputy City Attorney, 480-312-26244, dbronski@scottsdaleaz.gov

14. [Enterprise Document Management System](#)

Request: Authorize and approve contract No. 2004-013-COS with 5280 Company of Highlands Ranch, Colorado for the initial installation of an Enterprise Document Management system in the City Clerk's Office. This contract consists of three agreements (Services Agreement - \$74,550; Software License Agreement - \$59,499; and Software Maintenance/Support Agreement - \$14,874, 1st year only). An additional \$40,000 is being requested to purchase equipment (hardware), bringing the total cost for this project to \$194,515.

Related Policies, References: Pursuant to ARS 41-1351, using State of Arizona guidelines, the City has set record retention schedules that have been approved by the state. The Records Management module available with this product would allow records managers, human resources professionals and other central records constituents to design, implement, and execute a comprehensive records management discipline, including disposition of both electronic and physical documents.

Staff Contact(s): Brad Hartig, Information Systems Enterprise Director, 480-312-7615, bhartig@scottsdaleaz.gov; Judy Silverthorn, Information Systems Project Manager, 480-312-7879, jsilverthorn@scottsdaleaz.gov; Rich Peterson, Information Systems Contract Administrator, 480-312-7021, rpeterson@scottsdaleaz.gov

15. City Water and Sewer Revenue and Scottsdale Preserve Authority Refunding Bond Sale

Requests:

- Adopt Resolution No. 6448 authorizing the issuance and ordering and approving the sale of City of Scottsdale Water and Sewer Revenue Refunding Bonds, Series 2004 in an aggregate principal amount not to exceed \$25,000,000; authorizing the negotiation, execution and delivery of certain agreements, including a Bond Purchase Agreement by the City's Financial Services General Manager; selecting Stone & Youngberg as senior underwriting manager and A.G. Edwards and Peacock, Hislop, Staley and Given as co-managing underwriters for the proposed bond sale; and declaring an emergency.
- Adopt Resolution No. 6449 approving the issuance and sale of Scottsdale Preserve Authority Excise Tax Revenue Refunding Bonds, Series 2004 in an aggregate principal amount not to exceed \$25,000,000; approving the negotiation, execution and delivery of certain agreements, including a Bond Purchase Agreement by the City's Financial Services General Manager on behalf of the Scottsdale Preserve Authority; approving Stone & Youngberg as senior underwriting manager and A.G. Edwards and RBC Dain Rauscher as co-managing underwriters for the proposed bond sale; and declaring an emergency.

Staff Contact: Craig Clifford, Financial Services General Manager/CFO, 480-312-2364,
cclifford@ScottsdaleAZ.gov

16. Issuance of General Obligation bonds and Municipal Property Corporation bonds to finance preserve purchases and capital improvement projects

Requests:

- Adopt Resolution No. 6451 providing for the competitive sale and issuance of \$113.4 million principal amount General Obligation Bonds (\$65.4 million for preserve and \$48.0 million for other capital projects); providing the terms concerning the bonds; authorizing the City's Financial Services General Manager to accept proposal for the purchase of the bonds; and appointing an initial bond registrar and paying agent for the bonds.
- Adopt Resolution No. 6452 approving the competitive sale and issuance by the City of Scottsdale Municipal Property Corporation of \$75.0 million principal amount Excise Tax Revenue Bonds; approving the terms concerning the bonds; authorizing the City's Financial Services General Manager to accept proposal for the purchase of the bonds on behalf of the Municipal Property Corporation; appointing an initial bond registrar and paying agent for the bonds; and declaring an emergency.

Related Policies, References:

- Resolution No. 6288, dated May 19th, 2004, Adopted Financial (Debt) Policies
- Resolution No. 6131, dated January 21st, 2003, Preserve Advance Purchase (\$50 million) and Bond Reimbursement Authorization

Staff Contact: Craig Clifford, Financial Services General Manager/CFO, 480-312-2364,
cclifford@scottsdaleaz.gov

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17. **Police Department Special Investigations Section Mobile Surveillance Platform**

Requests:

- Authorize the use of FY 2003/04 Expenditure Contingency Budget for Special Investigations Section Mobile Surveillance Platform expenditures.
- Authorize available Racketeering Influenced Corrupt Organization (RICO) dollars (not to exceed \$89,000) to fund this request.

Staff Contact(s): Alan Rodbell, Chief of Police , 480-312-5000, arodbell@scottsdaleaz.gov;
Steve Gesell, Lieutenant, Special Investigations Section, 480-312-2417, sgesell@scottsdaleaz.gov

Regular Agenda begins on the following page

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Comment Card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

18. North Scottsdale Collision Rezoning

Requests: Reconsider rezoning request for approval:

1. To rezone from Highway Commercial District (C-3) to General Commercial District (C-4) on a 1.15 +/- acre parcel located at 15450 N. 84th Street.
2. To adopt Ordinance No. 3546 affirming the above rezoning.

Location: 15450 N. 84th Street

Reference: 15-ZN-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Suzanne Colver, Senior Planner, 480-312-7087, scolver@scottsdaleaz.gov

19. Spice Restaurant Liquor License

Request: Consider forwarding a **denial** recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing location that previously operated with a series 12 license under the business name Moloko's.

Location: 7228 E. 1st Avenue

Reference: 96-LL-2003

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@scottsdaleaz.gov

Public Comment

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City Manager's Report**Mayor and Council Items****Adjournment**

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.